

Hampton IWWA Minutes
Regular Meeting – May 13, 2008
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The regular meeting of the Inland Wetlands and Watercourses Agency was held on Tuesday, May 13, 2008, at the Town Office Building.

Present for the Board: Heather Gilmond, Chairman; Martin Mlyniec, Secretary; Alternate Bob Burgoyne seated for Muriel Miller and Alternate Laurie Pribble seated for Kevin Harrington.

Absent: Muriel Miller, Kevin Harrington.

Staff and Others Present: John Valente, WEO; Marti Squires, Recording Secretary.

Chair Gilmond called the meeting to order at 7:40 p.m.

Item 1: Audience for Citizens – None

Item 2: Additions to the Agenda – None

Item 3: Approval of Minutes – April 8, 2008

3.1 The minutes of April 8, 2008, were revised to change the title of the document to ‘Hampton IWWA’ from ‘Hampton IWWC,’ and ‘Agency replaced the word ‘Commission’ in the opening statement of the document.

Motion: Martin Mlyniec made a motion to approve the minutes of April 8, 2008, as corrected. Laurie Pribble seconded the motion, with Bob Burgoyne abstaining.

Item 4: Old Business

4.1 Owner: James Newcity, Location: 178 Drain Street, Activity: Subdivision of existing 22.9 acre parcel into a 5-Lot Residential Subdivision. Each Lot will be served by its own private well, driveway, and on-site sewage disposal system. Creation of a 50’ wide access to other land of Newcity, resulting in a disturbance of 554 square feet (0.012 ac) of wetland soils to install driveway and curb cut.

Discussion: Mr. Valente work diligently with the Town’s consultants, Mr. Gerald Hardisty of CES Engineering and Mr. Edward Pawlak of Connecticut Ecosystems, LLC, and with Mr. Newcity’s project professionals, Mr. James Luczak, P.E. and Mr. Joseph Theroux, Soil Scientist. Mr. Valente’s objective was to verify whether or not the site of the proposed subdivision contained an intermittent watercourse. Aerial photography of the site depicted surface flow, which indicated the possibility of an intermittent watercourse. Extensive drainage reviews and site inspections resulted in a determination made by Mr. Pawlak that the site was not an intermittent watercourse, all professionals agreed.

Mr. Luczak modified Mr. Newcity’s proposed subdivision site plans addressing the concerns of the Town’s consultants including impact to downstream wetlands from the potential of increased storm water drainage along Drain Street, driveway grading, and site-specific erosion & sediment control plans.

Mr. Luczak, P.E. for Mr. Newcity’s proposed subdivision, presented the modifications to the site plans dated: March 5, 2008, Revised May 5, 1008. One residential lot and two driveways were eliminated; no disturbance of wetland soils; construction of two (2) driveway cuts with drainage swales in upland review area to serve four (4) lots and remaining land of Newcity. Existing driveway will serve as a shared driveway to provide access to the existing home of Newcity - Lot 4 and two (2) proposed building lots – Lots 2 & 3. Grass swale will be constructed to handle surface flow and act as a depression area to collect water and to pass it through the existing pipe allowing the flow to retain its present course to the wetlands east of the driveway. Additional storm water review may cause P&Z to require a detention area east of the

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existing driveway before reaching the drainage system on Drain Street. Second driveway to serve proposed Lot 1 and remaining land of Newcity. Grass swale will be constructed with the installation of stone check dams to work with existing drainage which leads to an open culvert on Drain Street.

All professionals agreed that the modifications to the site plan would not impact neighboring wetlands or wetlands on Mr. Newcity's property based on drainage reports, site inspections, and the modified site plan.

Members of the agency participated in the discussions and presentations provided by Mr. Valente and Mr. Luczak.

Site Inspection Finding: As a result of an earlier logging operation, a rut approximately 300-400 feet long has developed and is capable of discharging surface water from Mr. Newcity's property to a neighboring property. It has been determined that this rut is not a function of the proposed subdivision. Agency members have requested that Mr. Valente write Mr. Newcity an enforcement letter requesting that the logging road be regraded or that water bars be installed to stop future discharge of water.

Motion: Martin Mlyniec made a motion to approve the application with respect to the conditions stated in the Summary Ruling, as amended. Laurie Pribble seconded the motion. All members present voted in the affirmative: Heather Gilmond, Martin Mlyniec, Laurie Pribble, Bob Burgoyne.

4.2 Discussion of Bylaws

Discussion: Various revisions to the Bylaws were discussed, including security and accessibility of records, election of officers, filing of minutes, staff and their duties. Bob Burgoyne provided an update of the IWWA ordinance review status. Members asked Chair Gilmond to request a copy of the IWWA ordinance draft for their review and suggestions. Discussion to continue at the next regular meeting.

4.3 Marc Ayotte – Lot #4 Cedar Swamp Road – Build House – Revised

Discussion: John Valente, WEO, reported this application did not require a permit and should have been listed under No Permit Necessary. Chair Gilmond requested that the IWWA Application For Permit be signed by the applicant prior to Mr. Valente's filing this application with the Building Department.

Item 5: New Business – None

Item 6: No Permit Necessary

6.1 Earle Woodworth III – 554 Pudding Hill Road – Build 12 x 16 shed on solid cement blocks.

6.2 Mark Becker – 158 Kenyon Road – Construct addition 20 x 24 on south side of house includes alteration of septic.

6.3 Kenneth Rooke, Sr. – 14 South Bigelow Road – install above ground pool.

6.4 Susana Shear & Mitch Beauregard – 340 Providence Turnpike – replace existing mobile home with new home, basement, garage, septic and well.

Item 7: WEO Report

7.1 Mr. Valente provided an update regarding five (5) Building Applications; activity on Drain Street; activity at 155 West Old Route Six pertaining to a drainage ditch for gardening; meeting with Town Maintenance Crew pertaining to drainage on Kenyon Road; Mr. McCollum's driveway progress on Bigelow Road.

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Item 8: Communications

8.1 Various correspondence was reviewed, including: Last Green Valley Annual Meeting; Connecticut Federation of Lakes Newsletter; NEMO Newsletter; Land Use Academy programs at UCONN; review letter addressed to Martha Fraenkel, Hampton Town Planner regarding Kinzer Self Storage, 396 Hartford Turnpike; Hampton Conservation Commission Minutes.

Item 9: Discuss and Act on any other Business – None

Item 10: Audience for Citizens – None

Item 11: Adjournment

There being no further business to come before the Board, Chair Gilmond adjourned the meeting at 9:42 p.m.

Respectfully Submitted,

Marti Squires

Recording Secretary

Attachment: Summary Ruling for Application WP0312-01 (Mr. James E. Newcity).



Town of Hampton, Connecticut

Incorporated 1786

INLAND WETLANDS AND WATERCOURSES AGENCY

SUMMARY RULING

Permit Granted: May 13, 2008

Applicant: James E. Newcity Application #: WP0312-01

Property Owner: James E. Newcity

Property Location: Map #: 4-10 Block #: 23 Lot #: 19

Property Address: 178 Drain Street, Hampton, CT 06247

Site Plans Dated: March 5, 2008; Revised May 5, 2008

Application Received: <u>03/12/2008</u>	Site Visit Fee: <u>\$30/PAID</u>	Environmental Quality Fund: <u>\$30/PAID</u>	Residential Development Fee: \$ 550/PAID	Complex Application Fee: <u>\$1,150/PAID</u>
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Proposed Activity: (1.) Subdivision of existing 22.9 acre parcel into a 5-Lot Residential Subdivision. Each Lot will be served by its own private well, driveway, and on-site sewage disposal system. (2.) Creation of a 50' wide access to other land of Newcity, resulting in a disturbance of 554 square feet (0.012 ac) of wetland soils to install driveway and curb cut.

Revised Application: Subdivision of existing 22.9 acre parcel into a 4-Lot Residential Subdivision. Each Lot will be served by its own private well and on-site sewage disposal system. Two (2) driveway cuts to serve four (4) Lots and remaining land of James Newcity. No direct disturbance of wetland soils. Activity in upland review area to install two (2) driveways with drainage swale and structure if required by Planning and Zoning Commission.

As provided for in sections 22a-36 to 22a-45, inclusive, of the Connecticut General Statutes, as amended, and in accordance with sections 7, 8 and 9 of the Hampton Inland Wetlands and Watercourses Regulations, I move that the application as described above be approved and a permit be granted with the conditions listed below. All prudent and feasible measures have been taken to minimize the impact on the wetlands and no feasible and prudent alternative exists. The short-term impacts have been addressed by the applicant's plan and should be sufficient to protect the resource provided the plan is implemented as designed. The long-term impacts to the resource have been mitigated to the fullest extent feasible.

The above approval is conditioned on the proper implementation of the plan and adherence to the conditions of the permit, failure to do so may result in revocation of the permit.

1. The Inland Wetlands and Watercourses Agency (IWWA) or its Agent is to be notified at least 48 hours prior to the commencement of any part of the activity approved and identified in this permit.
2. The granting of this permit does not relieve the applicant from obtaining additional permits and/or approvals required by other agencies, federal, state, or local.
3. If an approval or permit is granted by another agency, and it contains conditions affecting the wetlands and/or watercourses or the area within 100 feet from their flagged boundaries not addressed by this permit, the applicant must resubmit the application for further consideration by the IWWA. The IWWA must make a determination on whether a modification to the permit is necessary.

4. The duration of this permit is for five (5) years unless extended, by this Agency, and shall expire upon completion of the activity approved herein or March 12, 2013.
5. The applicant shall not assign or transfer this permit, or any part thereof, without the written permission of this Agency.
6. All activities for the prevention of soil erosion, such as installation of silt fence, hay bales and other necessary or required measures shall be under the direct supervision of a certified engineer, or at the discretion of the IWWA agent, the home owner or contractor who shall: employ management practices consistent with the terms and conditions of this permit, control storm water discharges, prevent erosion and sedimentation and otherwise prevent pollution of wetlands or watercourses.
7. The wetlands agent is to be notified of a pre-construction meeting with the engineer, contractor, and property owner (prior to the start of work). The intention of the meeting is to discuss the conditions of the permit, the construction sequence, the proposed E&S measures required or necessary to protect the resource and stabilization of the site during and immediately following construction.
8. All work related to the construction or redevelopment of the driveways is to be completed and the drainage structures installed prior to the start of work on the individual house sites.
9. Driveway design should encourage sheet flow into the drainage swale.
10. Driveway and associated drainage structure and swale are an integral part of the resource protection designed by the engineer and must be maintained on a routine basis. The maintenance is the responsibility of the individual home owners. Maintenance to include and not be limited to: 1. the removal of silt from the drainage swale and structure, and 2. the necessary up-keep of the driveway to maintain flows into the swale and to avoid the erosion or migration of soil or gravel from the driveways into the adjacent swale.
11. Driveway swales are to grass-lined, an erosion blanket or acceptable matting is to be used during construction of swale. Stone check dams are to be located every 50-75 feet in the swale.

<u>Permit Granted: May 13, 2008</u>	
Motion by:	Martin Mlyniec
Seconded by:	Laurie Pribble
Commission Action:	Approved, as stated in Summary Ruling.

Sincerely,

Heather M. Gilmond
IWWA Chairman

The Agency shall notify the applicant and any named parties to the proceedings of its decision within fifteen (15) days of the date of the decision by certified mail, return receipt requested, and the Agency shall cause notice of its order in the issuance or denial of the permit, to be published in a newspaper having general circulation in the town wherein the inland wetland or watercourse lies. In any case in which such notice is not published within such Fifteen day period, the applicant may provide for the publication of Such notice within ten days thereafter. (Section 12, item 12.4, Hampton, Connecticut, Inland Wetlands And Watercourses Regulations)

<u>Applicant</u>	Name & Address:	Mr. James J. Luczak, P.E., Civil Solutions, LLC, 174 Merrow Road, Tolland, CT 06084
	Forwarding Date:	06/03/2008 Certified Return Receipt Number: 7005 1820 0002 9306 9606
<u>Property Owner</u>	Name & Address:	Mr. James E. Newcity, 178 Drain Street, Hampton, CT 06247
	Forwarding Date:	06/03/2008 Certified Return Receipt Number: 7005 1820 0002 9306 9620